

Application Privacy Notice and Terms of Use

(Short From Review Draft)

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### What Information We Collect

The information we collect about your broadband performance is anonymous. No unique or persistent identifier is associated with any data we collect from you.

**[Pop-up for underlined text:** We do not label the data we collect from you with anything that would directly identify your handset. Because your data is part of an anonymous pool that includes information collected from all participants, the risk of someone being able to successfully identify an individual from the data is minimal~~participant's data is minimal.~~]

~~risk that someone will successfully identify an individual from the data is minimal~~

We collect five kinds of information to measure the performance of your mobile broadband service.

- Location
  - **Pop-up text to display** When we measure your mobile broadband performance, we identify the location and unique ID of the cell tower that is providing that service, and the GPS location of your device when the measurements were made.
- Time of data collection
  - **Pop-up text to display** We record the times when we perform measurements of your mobile broadband performance. Some measurements function by recording a start and end time.
- Handset type and operating system version
  - **Pop-up text to display** When the measurement application starts, we record the manufacturer and model of phone you are using, and the version of the operating system installed on your phone.
- Cellular performance and characteristics
  - **Pop-up text to display** We collect information about your cellular phone performance, such as your service provider, the strength of the radio signal, and what type of connection (3G or 4G) service you have.
- Broadband performance to ~~specific~~our location~~test points~~ on the Internet
  - **Pop-up text to display** The app tests your mobile broadband upload and download rate, round trip latency, and packet loss measured between your handset and servers managed by the FCC, the FCC contractor, and other project partners.

This data is encrypted and stored on your phone for you to review, and periodically uploaded to our servers. Older data is also be periodically deleted from your phone. You can find more detail in the FCC’s technical summary of this program. [URL for technical summary]

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### Third Party Data Sharing

The data we collect is helpful for consumers, the FCC, and others interested in understanding mobile broadband in the United States.

We share your mobile broadband performance information in four ways.

- **Internally**

We may share your mobile broadband performance information within the FCC to write our Measuring Broadband America Report on Mobile Performance and to support our development of broadband policy.

- **Third-Party Partners Who Help Us Run Our Test and Support Our Program**

We share your mobile broadband performance information with our contractor who manages the measurement program, with partners who support the program and architecture, and with partners supporting our analysis or contributing peer reviews.

**[Pop-up text for underlined contractor:** The FCC has contracted with a broadband measurement company, SamKnows (URL [www.samknows.com/privacy](http://www.samknows.com/privacy)), to help manage the program and conduct its technical functions. SamKnows performs functions such as writing and maintaining the software that performs the test measurements, responding to customer service requests, managing the application and the execution of tests, collecting and protecting data gathered in the trial, and providing analysis and support for the preparation of FCC reports. The terms of our contract with SamKnows include obligations to protect the data and your privacy and can be found at (URL for contract).]

**[Pop-up text for underlined partners supporting program and architecture.** Research platforms and your carrier may also support various aspects of the testing and architecture for the program. Information we collect may be shared with these parties for the purpose of conducting the trial, and will be subject protected by-to non-disclosure agreements that include strict requirements for safeguarding the collected data. Research platforms operated by Level 3 Communications (URL to Privacy Policy) also support the measurement process by providing access to servers on the Internet networks they manage, and may maintain logs that reference Internet Protocol aspects of the test traffic.

**[Pop-up text for partners for analysis and peer review:** The FCC ~~works~~directs researchers, ~~with~~ academics, its contractor, and your carrier working under non-disclosure agreements (NDA) to analyze the collected data for privacy risks or concerns, and to plan for future measurement efforts. We may share your detailed mobile performance data with ~~academiesthese partners-and~~

~~carriers~~ supporting our data processing and analysis for the specific purpose of identifying patterns in the data, and recommending ways of addressing any concerns for your privacy and anonymity. Researchers and other partners supporting this analysis are skilled in the field of statistics and computer science to identify patterns that a third party might exploit in ways to limit your privacy in the raw information, for example by comparing the location information with other sources of information. If we identify concerns we may take steps to address concerns by coarsening the time or location information, or deleting some information outright. These partners are required to sign a ~~non-disclosure agreement (NDA)~~, and must agree to data handling practices that safeguard the data. The NDA prohibits any public disclosure of the data except in the form of a report to the FCC, limits both the ~~time~~access duration and specific research purposes of data, and requires disclosures if the data is ever compromised in any way. (URI in sentence: <link to NDA>) ~~Academics are skilled in the field of statistics and computer science to identify patterns that a third party might exploit in ways to limit your privacy in the raw information, for example by comparing the location information with other sources of information. If we identify concerns we may take steps to address concerns by coarsening the time or location information, or deleting some information outright.]~~

- **Data Available to the Public**

We will publish aggregated averages and minimally necessary datasets that support our review of the statistics that we determine pose very low risks to your privacy, including:

**Aggregated Data**

We plan to publish averages and other aggregated statistics that describe important features of mobile broadband performance. These highly aggregated statistics pose very low risks to your privacy.

**Processed Coarsened Raw Data**

We plan to publish only the anonymous data the underlying in a processed and coarsened form ~~anonymous data~~ that supports the averages and other statistics that we publish in our reports. Prior to release of this data, the FCC and academics skilled in the field of statistics and computer science will identify patterns in the raw data that could be exploited to compromise your privacy. If we find concerns, we take steps to address the risks by making the time, location or other information less specific, limiting the combinations of information we release, or deleting information.

**[Pop-up text for:** For example, the analysis we perform would identify and address risks from a third party combining the location information in the data we collect with other sources of information to try to identify your handset in our database. We will publicly release the results of this analysis to ensure the quality of our review, and will also describe the measures we took to protect your anonymity. We will not release individual volunteer's time and location information publicly.

- Pursuant to legitimate requests by law enforcement or where otherwise required by law or regulation

We may share mobile broadband performance data collected by this application subject to legitimate requests by law enforcement or where otherwise required by law or regulation.

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### Data Consumption

By default the Application is configured to use no more than 100 megabytes of data each month. Any additional tests you initiate will also consume between 100 kB for the smallest packet loss test and 30 MB for a complete suite of tests. At any time you can change the amount of data the Application uses by increasing or reducing the “mobile data cap” in the settings menu. You should ensure that your monthly broadband usage, including the data used by the Application and Service during the Program, does not exceed the data allowance included in your mobile broadband package. Your carrier may charge you for any data used in excess of your package’s data allowance.

### Stopping Your Participation

If at any time you want to stop participating in this program, simply delete the Application and the accompanying data, and the Application will not collect further data. Any data collected prior to the deletion of the Application will remain in the data sets subject to the above terms and protections.

**Other ~~reference material~~ terms of use regarding of the our Application -privacy policy**  
[URL to respective documents]

- ~~Data Usage Summary~~
- Detailed Testing Architecture and Technical Summary
- ~~Terms and Conditions of Use~~
- ~~Long Form Privacy Policy Statement~~
- ~~NDA~~
- Program Stakeholders’ Code of Conduct
- GNU Licensing Agreement
- [Other relevant legal terms]

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[“Next” ~~[~~ Button to ~~Break to click “I Agree”~~  
with check box and text reading “to this Application Privacy Notice and Terms of Use and Conditions (Consent Pages)” ~~]~~